

**IN THE UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF
MONTANA**

In the Matter of the Search of a
residence:

Residence and unattached garage of
Cristyan J. GONZALES-CARILLO
& Kaylee TRIEMSTRA
(GONZALEZ), 1096 Longbow
Lane Unit B, Bozeman, MT.

Case No. **MJ 20-24-M-KLD**

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

INTRODUCTION

1. I am a Special Agent (“SA”) with the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”), currently assigned to the Billings Field Office. I have been employed by the ATF since July 2015. I have completed the Criminal Investigator Training Program at the Federal Law Enforcement Training Center (“FLETC”). I have also completed ATF Special Agent Basic Training course. While attending the academies at FLETC in Glynco, Georgia, I received specialized training concerning violations of the Gun Control Act within Title 18 of the United States Code and violations of the National Firearms Act within Title 26 of the United States Code. As such, I am an investigative or law enforcement officer of the United States, within the meaning of 18 U.S.C. § 2510(7), that is, an officer of the United States empowered by law to conduct investigations and make arrests for offenses enumerated by 18 U.S.C. § 2516.
2. My duties and responsibilities as a Special Agent with ATF include participating in the

investigation and prosecution of persons who violate federal firearms laws. As a result of my training and experience, I am familiar with the federal firearms laws. I know that in accordance with Title 18, United States Code, Section 922 (a)(6), it is unlawful for any person in connection with the acquisition or attempted acquisition of any firearm or ammunition from a licensed importer, licensed manufacturer, licensed dealer, or licensed collector, knowingly to make any false or fictitious oral or written statement or to furnish or exhibit any false, fictitious, or misrepresented identification, intended or likely to deceive such importer, manufacturer, dealer, or collector with respect to any fact material to the lawfulness of the sale or other disposition of such firearm or ammunition

3. I know from my training and experiences as an ATF Special Agent, and particularly from my participation in the execution of search warrants authorizing the seizure of firearms, that those who own and possess firearms and ammunition generally maintain them on their person, in their residence and motor vehicles, and in places where they store their personal property. Owners of firearms generally maintain and preserve them over a long period of time because firearms are somewhat expensive, there are at times administrative delays in buying them, and firearms do not easily deteriorate. In my experience, firearms are not depleted through use, nor are they exchanged soon after being obtained. Firearms are like expensive tools, which their owners keep and maintain over long periods of time. Owners of firearms generally keep firearms and ammunition and about their home or vehicles because it permits easy access in order to maintain them and provides an environment where the firearms will be secure from theft and safe from corrosion.
4. I know through my experience that in the immediate area where individuals store their

firearms and ammunition, there will be evidence of the individual's exercise of dominion and control over the firearm and/or ammunition. For example, if a firearm and/or ammunition were stored in a particular dresser drawer, the drawer would also routinely contain items such as documents, cards, letters, photographs, and physical objects such as articles of clothing which will identify the specific individual or individuals that exercise dominion and control over the particular area.

PROBABLE CAUSE

1. In December of 2019, the Bozeman Police Department received an email from an concerned citizen reporting Christyan GONZALEZ-CARRILLO was selling stolen tools via multiple social media sites (Facebook) and "WhatsApp." In addition GONZALEZ-CARRILLO steals hi-end bicycles, construction equipment and transports the stolen items to Mexico via stolen trailers with stolen license plates.
2. Your affiant is aware that an employment and earnings report acquired from Montana Analysis and Technical Information Center (MATIC), GONZALEZ-CARRILLO has not been employed nor had reported income since 2017.
3. Your affiant is aware that Blackfoot Police Department conducted a traffic stop on Jose Adrian Medina-Torres on July 1, 2020. Medina-Torres was arrested for possession of stolen property for the stolen trailer that Medina-Torres was towing.
4. Your affiant is aware that Medina-Torres made a jail call to GONZALEZ-CARRILLO, and the GONZALEZ-CARRILLO was going to bail Medina-Torres out of jail. Medina-Torres found out GONZALEZ-CARRILLO wasn't going to bail him out of jail, and decided to cooperate with local law enforcement.

5. On July 1, 2020, ATF SSA Joel Miller interviewed Jose Adrian Medina-Torres at the Bingham County Jail with Blackfoot Police Department Detective Luis Chapa, and HSI SA Tyler Hatch. Medina-Torres stated GONZALEZ-CARRILLO purchases firearms and advertises firearms for sale to a group on WhatsApp. Medina-Torres said he is a part of the group on WhatsApp and that the majority of the people on the group live in Ensenada, Mexico. Medina-Torres provided law enforcement written consent to search his cell phone. Medina-Torres showed the investigators some of GONZALEZ-CARRILLO's firearms advertisements via the WhatsApp on his cellular phone. SSA Miller conducted a brief review of the WhatsApp data and observed multiple photographs of firearms laid out as if on display.
6. Medina-Torres has been to GONZALEZ-CARRILLO's residence located at 1096 Longbow Lane numerous times, and travels to GONZALEZ-CARRILLO's residence approximately every two weeks to make payments on various vehicles purchased from GONZALEZ-CARRILLO. Medina-Torres has seen numerous firearms and boxes of ammunition in the GONZALEZ-CARRILLO's detached garage. Medina-Torres does not know the exact number of firearms GONZALEZ-CARRILLO's has, knows that GONZALEZ-CARRILLO's has acquired 8 – 10 within the last week. GONZALEZ-CARRILLO told Medina-Torres about the recent purchase and that it was fulfilling some sort of order. GONZALEZ-CARRILLO's told Medina-Torres all of the firearms and ammunition are for people in Ensenada, Mexico.
7. Medina-Torres knows that GONZALEZ-CARRILLO has traveled to Mexico on at

least 3 occasions since August of 2019. The trip to Mexico in the August – October time frame Medina-Torres was towing a trailer loaded with suspected stolen tools, following GONZALEZ-CARRILLO who was towing a trailer with a suspected stolen Bobcat skid steer loader. Medina-Torres and GONZALEZ-CARRILLO crossed the border at Tecate. Medina-Torres said his brother happened to meet GONZALEZ-CARRILLO while traveling down to Mexico in December of 2019. At that time GONZALEZ-CARRILLO was towing a travel trailer, and crossed the border at Tecate. Medina-Torres approximated GONZALEZ-CARRILLO's next trip to Mexico was in April 2020.

8. Medina-Torres said GONZALEZ-CARRILLO asked him to tow the travel trailer that he was arrested with in Blackfoot, Idaho, down to Mexico.
9. GONZALEZ-CARRILLO offered to pay Medina-Torres \$1,200; \$600 cash and \$600 towards debt on a vehicle he purchased from GONZALEZ-CARRILLO. Medina-Torres went over to GONZALEZ-CARRILLO's residence on June 30, 2020. GONZALEZ-CARRILLO showed him the trailer that he wanted Medina-Torres to tow to Mexico. The trailer was located two streets over from GONZALEZ-CARRILLO's residence. After hooking up the trailer, Medina-Torres then got into GONZALEZ-CARRILLO's vehicle and they went to a storage facility approximately 15 minutes northwest of the Bozeman airport. There they stole a travel trailer, hooking it up to GONZALEZ-CARRILLO's vehicle. After that, they drove back to where Medina-Torres' vehicle was located, and then both departed the

area.

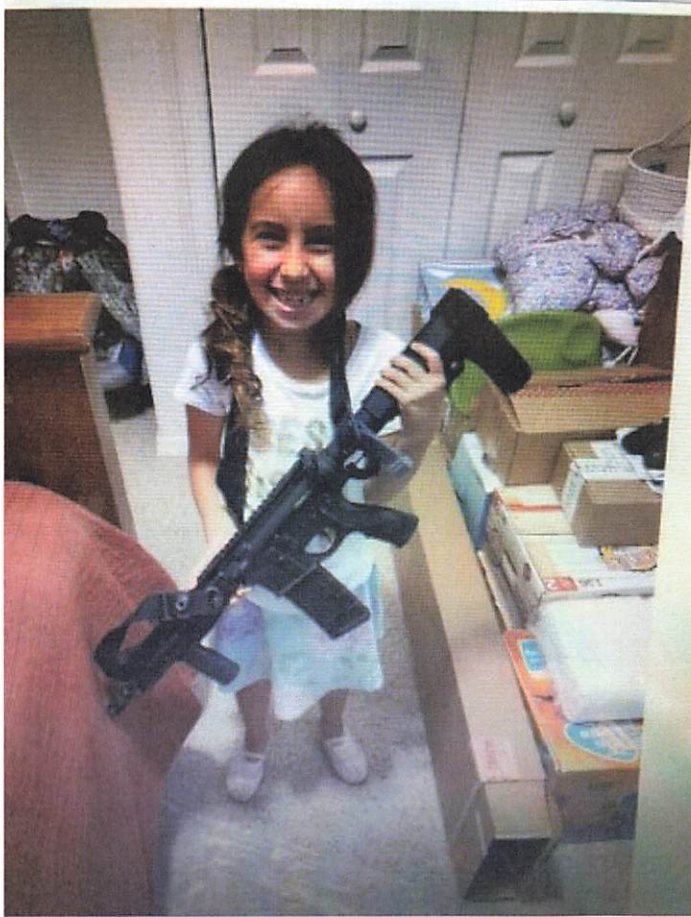
10. GONZALEZ-CARRILLO told Medina-Torres they were going to take the travel trailers to a trailer park at the Fort Hall Indian Reservation and drop them off. They would then drive back to Bozeman, Montana, and on Sunday, July 5, 2020, they would leave Bozeman with all of the firearms and ammunition that are in GONZALEZ-CARRILLO's detached garage and drive back to the trailers. GONZALEZ-CARRILLO would then put the firearms and ammunition in the trailer he was towing and they would leave the trailer park and drive to San Diego.
11. Medina-Torres refused to take "his" trailer across to Mexico because he was afraid he would not be able to get back into the United States. Therefore San Diego was as far as he was willing to go. Medina-Torres believes GONZALEZ-CARRILLO was therefore going to take each trailer across the border, one at a time.
12. Medina-Torres stated the firearms are currently being stored in GONZALEZ-CARRILLO's detached garage.
13. Additionally, Medina-Torres told agents with ATF that GONZALEZ-CARRILLO offered to buy guns for him when they went to the recent gun expo in Bozeman. Medina-Torres said GONZALEZ-CARRILLO knows Medina-Torres is an illegal alien, and therefore offered to straw purchase firearms.
14. GONZALEZ-CARRILLO offered to sell Medina-Torres two firearms last week and two firearms this week.
15. Medina-Torres stated that he had observed GONZALEZ-CARRILLO with

approximately 4-5 handguns and 4-5 AR styled rifles in the last few days.

16. On July 2, 2020, ATF Resident Agent in Charge (RAC) Korth reviewed ATF Report of Multiple Sale or Other Disposition of Pistols and Revolvers (Multiple Sales Form) forms related to transactions of firearms for GONZALEZ-CARILLO. Per the Gun Control Act, the Multiple Sales Forms are required to be completed by Federal Firearm Licensee's during transactions of two or more handguns within a five day period. Copies of the Multiple Sales Forms are forwarded directly to ATF upon completion of the transaction of the firearms. The primary purpose of the forms is to indicate to ATF possible "straw purchasing" efforts and trafficking of firearms. Upon review of the transactions, GONZALEZ-CARILLO has purchased 31 handguns from stores in the Bozeman, MT area between February 2, 2020 and June 18, 2020. Sixteen of the 31 handguns are the same make, model, and caliber. Based on RAC Korth's training and experience when multiple transactions of the same firearm occur it is often an indicator that the firearms are being purchased for someone else and/or being trafficked. RAC Korth estimates the value of the handgun firearms purchased to be between \$11,000 and \$13,000.
17. On July 2, 2020, your affiant learned that Cristyan GONZELZ-CARRILLO resides at 1096 Longbow Lane, Unit B, Bozeman, Montana and that a 2006 Nissan Titan XE Montana license plate CKR994 was parked outside the apartment complex.
18. On April 10, 2020, a license plate reader near Oceanside, California captured a photograph of a 2006 Nissan Titan XE with Montana license plate CKR994.

19. On July 2, 2020, RAC Korth reviewed License Plate Reader (LPR) data for Montana license plates CTA758 and CKR994. License plates and CRA758 and CKR994 are registered to GONZALEZ-CARILLO. A review of the records for plate CTA758 show six border crossings at San Ysidro, CA from April 13, 2020 through June 6, 2020. San Ysidro, CA is at the border of Mexico in southern California. The inbound and outbound crossings show the duration of stay in Mexico to be approximately three days for each trip. A review of the records for license plate CKR994 show three crossings in 2019. Medina-Torres was stopped and arrested in the vehicle with license plate CKR994.
20. On July 2, 2020, RAC Korth reviewed records related to border crossing encounter contacts by the U.S. Customs and Border Protection with GONZALEZ-CARRILLO for the years of 2019 and 2020. GONZALEZ-CARRILLO has crossed into the United States from Mexico on thirteen (13) occasions in 2019 and ten (10) occasions from January 2020 to present.
21. Your affiant is aware that GONZALEZ-CARRILLO has posted several AR styled rifles on WhatsApp in May and June 2020. The following photograph is one of the firearms posted on GONZALEZ-CARRILLO's WhatsApp account. ATF notes that the child holding the firearm resides at 1096 Longbow Lane, unit B, Bozeman, MT, and was the individual that answered the door on June 19, 2020 when agents knocked on the door to interview GONZALEZ-CARRILLO. Your affiant is aware that the firearm pictured is a National Firearms Act (NFA) violation in accordance

with Title 26 U.S.C. 5681.



CONCLUSION

In this matter I submit there is probable cause to believe that evidence, fruits, and instrumentalities of federal firearms laws, specifically 18 U.S.C. §922(a)(6), as those items are set forth in Attachment B, will be located inside the residence and detached garage, as described in Attachment A.

DATED this 2nd day of July, 2020.

/s/ Kyle Fanus
Kirby Fanus
Special Agent, ATF

Sworn to before me over the telephone and signed by me pursuant to Federal Rule of Criminal Procedure 4.1 and 4(d) on the 2nd day of July, 2020.

Kathleen L. Desoto
KATHLEEN L. DESOTO
UNITED STATES MAGISTRATE